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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,503	12/19/2000	G. George Reeves	P-2986.003	3128

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EXAMINER

JONES, SCOTT E

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 10/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,503

Applicant(s)

REEVES, G. GEORGE

Examiner

Scott E. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-93 is/are pending in the application.
- 4a) Of the above claim(s) 52-80 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51, and 81-93 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on July 17, 2002 in which applicant amends claim 32, adds new claim 93, and responds to the claim rejections.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20, 24-41, 45-51, and 81-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeves (U.S. 5,740,077) in view of Fisher (U.S. 5,507,485).

The rejection as stated in Office Action, Paper No. 11 is retained and incorporated herein.

4. Claims 21-23, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reeves (U.S. 5,740,077) in view of Fisher (U.S. 5,507,485) as applied to claims 1-20, 24-41, 45-51, and 81-93 above, and further in view of Lobsenz (U.S. 6,030,109).

The rejection as stated in Office Action, Paper No. 11 is retained and incorporated herein.

Response to Arguments

5. Applicant's arguments filed July 17, 2002 have been fully considered but they are not persuasive.

6. Applicant respectfully disagrees with the rejection to Claims 1-20, 24-41, 45-51, and 81-92 under 35 U.S.C. 103(a) as being unpatentable over Reeves (U.S. 5,740,077) in view of Fisher (U.S. 5,507,485).

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7. Applicant alleges “the examiner has erred because Fisher does not teach or suggest dynamically generating a graphical view as required by claim 1, but instead discloses nothing more than displaying one of a set of pre-determined views stored in memory.” The examiner disagrees.

This feature is clearly disclosed in Fisher and is noted in previous Office Action, Paper No. 11.

Fisher shows,

“In addition, the golf computer advantageously includes means responsive to said position location for automatically updating the computer’s graphical display to show the geographical features of immediate interest to the golfer.” (Column 3, lines 55-60).

8. Regarding Claim 8, applicant further alleges “neither Reeves nor Fisher teach or suggest, alone or in combination, the dynamically generated view to include the direction in which the user intends the ball to travel due to the next stroke.” However, the examiner disagrees. Please see the argument provided above regarding claim 1.

9. Regarding Claims 11 and 87, applicant alleges “none of the references cited by the Examiner, either alone or in combination, teach or suggest the use of a graphical display to show a user’s position anywhere on a course, including the green.” In response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., graphical display to show a user’s position anywhere on a course) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, if this feature was claimed as stated, Fisher discloses this limitation. Please see the argument provided above regarding claim 1.

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10. Regarding Claims 28 and 90, applicant alleges “neither Reeves nor Fisher teach or suggest, alone or in combination, the ability to predict and graphically show, prior to a given shot, a probable area on the course where the ball will land.” In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the ability to predict and graphically show, prior to a given shot, a probable area on the course where the ball will land.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, if this feature was claimed as stated, Fisher clearly discloses this limitation as noted in previous Office Action, Paper No. 11. Please see Column 11, lines 5-15.

11. Regarding Claim 92, applicant alleges Fisher does not show a graphical view showing forces acting on a golf ball. The examiner disagrees. As indicated in the previous Office Action, Paper No. 11., Fisher teaches of a golf computer that provides multiple views of each hole. One view is a detailed view of the green, which includes its topographical features such a slope. (Column 4, lines 10-15, and Figure 4c). This view clearly shows the forces of gravity acting on a golf ball on the green. Therefore, this feature is clearly shown in Fisher.

12. For the reasons discussed hereinabove, the rejections as stated in Office Action, Paper No. 11 are maintained and incorporated herein.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

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mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

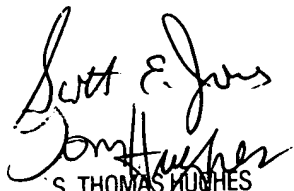
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Scott E. Jones
Examiner
Art Unit 3713

sej
October 10, 2002


S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700